

THE COMMONWEALTH.

Decision of the Court of Appeals.

State of Kentucky, Madison Circuit, Sec.

September Special Term, 1858, held on the 2nd.

THE COMMONWEALTH, PLAINTIFF,

VS.

SQUIRE TURNER, SEN., DEFENDENT.

On Rule, &c.

The following is a copy of the Judgment rendered in the above case, to wit:

THE COMMONWEALTH, PLAINTIFF,

VS.

SQUIRE TURNER, SEN., DEFENDENT.

Rule.

This is a proceeding by rule against Squire

Turner, Sen., a member of the bar of this Court,

upon the following charges, viz:

1st. That said Turner did, on the 11th day of

February, 1857, cause David J. Rowland, a

deputy sheriff of said county, acting under me

as sheriff of said county, to come into his office

in Richmond, Kentucky, and give him a \$34.10

Chancery from the clerk of said Circuit Court,

in a suit of David H. Bogie against William

Teeter, and represented to said Rowland that a

person in his office by the name of Fletcher

Teeter, was the defendant, William Teeter,

and cause said Rowland to execute said pro-

cess upon the said Fletcher Teeter, and return

the same executed on the defendant, Wil-

liam Teeter. Said Turner then well knowing

both the defendant, William, and Fletcher

Teeter.

2d. That on the — day of —, 1858, a fee

bill issued from the Court of Appeals for about

\$14, also an execution for cost for about \$34 in

favor of John Mulvey against James B. Jar-

man, B. D. Miller and P. P. Ballard, which was

in said Turner's hands for collection, and said

Turner willfully, knowingly and fraudulently

erased from said fee bill and execution the name

of said Miller, a constable of said county, who

proceeded to collect the same off of P. P. Bal-

lard, when the said Miller was equally liable.

3d. That on or about the 1st day of March, 1858,

in a suit then pending in the Madison Circuit Court

of Mahala Gooch vs. Cornelius Gooch, for a

divorce, he did take from the clerk's office of

said court, the papers of said case in which the

answer of said Cornelius Gooch has been pre-

viously filed, and fraudulently added to the

answer of said Cornelius Gooch a number of im-

material sentences and allegations and then return-

ed the same to said office, all without the know-

ledge, consent or approbation of said Gooch, or

the permission of the court.

4th. That the general and professional char-

acter of Squire Turner, Sen., is bad.

To these charges the defendant filed an an-

swer in writing, and afterwards an amended

response, and the parties having been fully heard

and the case maturely considered I will now

proceed to dispose of it. When the motion was

made to quash the fourth charge it was over-

ruled for the reasons and upon the authorities

offered in the written opinion on file. The lead-

ing authority relied upon by the defendant was

the case of *Ex parte Mills*, reported in 1st

Michigan, but which was found at the time in

Livingston's law register. Subsequent examina-

tion of the case in the State reports discloses

the fact that Livingston does not report the case

in full but has omitted that part of the opinion

of the court which sustains the sufficiency of the

more general one of the two charges and the

one which was found at the time in Livingston's

law register. That case so far from being an

authority in support of the opinion hereofore

given upon the sufficiency of this charge, is

seemingly adverse to it; and although I think

it is in conflict with the general tenor of the

other cases and my principle as recognized in

this case, I am unwilling to pursue any opinion

or rest my judgment upon doubtful ground, and

shall therefore dismiss the fourth charge and

exclude from the consideration of the case all

the testimony heard in relation to it, and pro-

ceed to the examination of the more specific

charges.

1. The first charge is admitted in all of its

essential particulars, except as to the date of the

service of the process, and that it was Fletcher

Teeter upon whom it was served, (and which

latter fact is neither admitted nor denied,) and

the defense is rested upon innocent mistake, and

no injury resulted from it to any person. It is

permissible to remark that this charge in itself

involves a very grave offense, both on the part of

the officer who made the false return and the

attorney who procured it. It not only subjects

both to the civil action of the party aggrieved

but also to a public indictment for a misdemeanor

or of great moral turpitude.

Was it accompanied with the mitigating cir-

cumstances relied upon by the defendant? And

are they sufficient in point of law to excuse it?

A brief examination of the facts as disclosed

by the proof must answer these questions.

As early as July or August, 1856, the defend-

ant, with Col. Caperton, was engaged to bring

and prosecute the action of Bogie vs. Teeter,

&c., referred to in the charge, and for this

made for any specific fee and on course its

amount was dependent upon the quantity and

value of the service rendered. It was known to

Bogie and his counsel that Teeter resided in

Illinois, and the other defendants in the city of

Louisville, or that vicinity. It was desired not

to bring the suit in Jefferson or that vicinity, but

in this or some adjoining county, where the

counsel retained, or some of them, could con-

duct it in person; and it was stipulated that if

the suit should be tried in this court the counsel

engaged were all to attend it, and if in certain

named adjoining counties such of them as prac-

ticed in those counties, but without success.

Thus the matter rested until some time in Fe-

bruary, 1856, when the defendant caused a let-

ter to be written to William Teeter at his resi-

dence in Illinois urging the necessity of his at-

tending the ensuing February term of the Gar-

ard Circuit Court, and requesting him to take

Richmond in his route and come privately to de-

fendant's house. In January, 1857, a second

letter was caused to be written by defendant, of

like purport. When response, if any, was re-

ceived to either of these letters the proofs do

not disclose, except inferentially. On the 3d of

February, 1857, Bogie was sent to Col. W. H.

Caperton with request to attend at defendant's

office. When he reached there the defendant

said to him, "we have determined to bring the

suit here." Col. Caperton enquired,

"do you expect to give this court jurisdiction?"

To which defendant replied, "Teeter has im-

portant business with me and will be here."

Thereupon the petition was filed in this court,

and process taken out to Madison endorsed to

be served on William Teeter only, and to Jeffer-

son and endorsed not to be served on William

Teeter. The process to Madison was kept by

defendant in his office, and the one to Jeffer-

son mailed to the sheriff of that county. On the

14th of February, 1857, Fletcher Teeter came to

defendant's office, when he dispatched his

newspaper, S. Turner, Jr. in search of Rowland.

S. Turner, Jr. found Rowland at the Circuit

Court Clerk's office, and enquired of him if he

was a deputy sheriff, and upon being answered

in the affirmative, informed him that the defend-

ant desired to see him at his office. Rowland

went, and found defendant and Fletcher Teeter

in the office, and defendant handed him the

process against William Teeter, when Rowland

bailed E. Teeter, and upon being answered

that he did not know how to make the return,

when defendant dictated the return as appears

upon the process. That return is in these words: "Feb.

14, 1857, executed on defendant, Wm. Teeter,

process was left in defendant's office, whether by

his direction or not does not appear. The de-

fendant knew William and Fletcher Teeter well,

had been their counsel, and they did not favor

each other but were quite dissimilar in their

size, dress and general appearance. The next

day the defendant went to the Garrard court."

On the 15th of February, 1857, the process to

Jefferson was executed upon defendant Shot-

well, and on the 20th or 21st Judge Brock re-

ceived Ripley's letter, and on the morning of the

23d, Rowland executed, sent him to defendant's

office to have it corrected, when Rowland was

asked by S. Turner, Jr. to delay it until defend-

ant's return, or he could hear from him. On the

next day or day after a letter was received from

defendant directing the return to be erased, and

it was done, and the suit in this court abandon-

ed. Now whatever semblance of plausibility

the facts recited in defendant's response afford

in support of his plea of mistake, (and the

amended response left but little of it,) these

facts entirely destroy it. On the contrary the

conviction is forced upon the mind that having

as early as the preceding December set on foot

a scheme to give this court jurisdiction of the

case by enticing Teeter here under false pre-

text, a scheme which, on the 3d of February,

he had confidently would succeed, but which on

the 14th had probably failed, this return was

procured to consummate.

His expectation of Teeter's coming was busi-

ness in the Garrard court, and the time of his

coming was just preceding that court, and on his

way to it, and the last day for his arrival

about to expire, and he is in expectation, (for his

response says "he had William Teeter on his

mind just as one of the Teeter's stepped in his

office, and imagines William Teeter has arrived,

dispatches a messenger for the Sheriff, and

during his absence is so absorbed in private busi-

ness as not to have time to enquire after the

health of the family of an old friend from a dis-

tant State, allude to the important business which

summoned him to Kentucky, and tender him the

hospitalities of his house, (for these two latter

were parts of the letters,) but leaves Teeter to

himself until the Sheriff arrives, the process is

handed to him and its execution directed, return

declared, and the parties separate without remark

upon the situation to the matter, and without a

moment's further thought by defendant until ten

days afterwards, not seeing Wm. Teeter at the

Garrard court dispels the illusion. He saw

Fletcher Teeter three days after the service of

process, at the Garrard court, and traded with

him as Fletcher Teeter and not as William Te-

eter, and this might have caused the mistake.—

But the defendant does not admit that he saw

Fletcher Teeter who was in his office on Satur-

day the 14th and was mistaken by him for Wil-

liam Teeter and has summoned him here as a

witness, and he has sworn that he does not be-

lieve he was at defendant's office on that day.—

Surely the defendant knew when his response

was given, whether or not he saw Fletcher Te-

ter, and the proofs show that it was him. But

it was assumed in the argument that the de-

fendant discovered the mistake, and had the cor-

rection made voluntarily, without knowledge of

any complaint, and this is evidence of the mis-

take. I think the proof justifies such assump-

tion. But the defendant, after his return from

Garrard, called to see him and said to him

that he had received a letter at Lancaster

from Squire Turner, Jr., that there was a com-

plaint about the service of this process, and had

written to him, (S. T. Jr.) to have it correct-

ed; and the circumstances show nothing unre-

asonable about it. It is less than 24 miles by the

turnpike, and about 32 by the dirt road, and on

Friday, and a messenger could easily have gone

and returned on Monday after Rowland applied

to Squire Turner Jr. to correct the return; and

it appears that the defendant's letter, directing

the correction to be made, was not received be-

fore Tuesday, and then came by private hand

and not by the post office, in answer to which

Ballard's recklessness in swearing to the sec-

ond charge, coupled with his hostility to de-

fendant, proves him unworthy of belief. I see

nothing in the second charge tending to his im-

peachment. Miller was equally bound upon the

record of the fee bill and execution; and the

record of the case of *Mulvey vs. Ballard*, &c.,

shows that he (Miller) was equally liable for the

damages claimed; and if the intelligent clerk

of the Court of Appeals (Jacob Swiger) thought

Miller was equally bound by the judgment of

that court for the execution and fee bill, I do not

see how Ballard, who is no lawyer, could have

known to the contrary, who can I say his hostil-

ity to the contrary, who can I say his hostil-

ity to permit him, at defendant's instance, to

explain the cause of it, is so insane and irration-

al as to destroy his claims to belief. The de-

fendant has not attempted to impeach his char-

acter, and it is known to be good for both intel-

ligence and integrity in this community. The

only fault to weaken the force of his evidence

is by his neglect and law partner who appears as

a witness under equally as unfavorable circum-

stances; and his contradiction is rather of in-

ference than of fact. His loss of the letter and

forgetfulness of the messenger who bore it, has

out of all means of either refreshing his recol-

lection or showing that it is at fault. I do not

see how Ballard, who is no lawyer, could have

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THE COMMONWEALTH. FRANKFORT.

THOMAS M. GREEN, Editor.

FRIDAY, MARCH 30, 1890.

Appointments to the Governor.

JOHN P. COOK, of Madisonville, to be Circuit Court Judge; and S. B. VANCE, of Henderson, Commonwealth's Attorney, for the 14th Judicial District.

LAFAYETTE GREEN, of Grayson, H. B. DOBBS, of Fleming, and CARLO B. BRATTAIN, of Harlan, Aids to the Governor with the rank of Colonel.

The Late Hon. Ben. Monroe.

The long and useful life of the distinguished gentleman whose name heads this article, deserves a more extended notice than we have heretofore given. From some of his most intimate friends we have gathered many interesting facts connected with his parentage and life.

Judge Monroe was born in Albemarle county, Va., on the 17th day of August, 1790. He was the son of Andrew Monroe, a native Virginian, of the Episcopal Church, and Ann Bell, a Virginian by birth, but the daughter of Scotch Irish Presbyterians, from the Province of Elston. Andrew Monroe was the descendant of Sir Andrew Monroe, a Scotch Knight, who emigrated to Virginia early in the reign of Charles II, and settled upon the Potomac. His establishment was on a large body of land granted him by the Crown which was afterwards included, and is now in the county of Westmoreland. This estate having been entailed or transmitted by descent, according to the laws of primogeniture, to the descendants of the royal grantee, the family of Monroe was thereby established, and the name fixed upon the geographical objects of the locality. The family was accordingly conspicuous in the revolution, and afterwards upon the State and National theatres, until it gave to us a Chief Magistrate of the United States.

But the father of the subject of this notice was of a junior branch of the family, and therefore inherited no estate. After his marriage, and the birth of Benjamin and another son, he looked to the wide West as a field to better his condition; and having emigrated to Kentucky, with the small capital accumulated by his own industry, he settled himself here in the county of Scott, about 1794. And here was Judge Monroe reared and educated, until he had attained the age of about eighteen years.

The entire capital of the family was one hundred acres of land, and only about the number of slaves a Northern family would consider sufficient for what they call their help. But the land was superior, and the entire household had industry and ambition, and, by these means, a large family was reared and educated.

Thus was continued this family until its revered heads were gathered to their fathers, in a good old age.

There was then, as it had been on like occasions with these people, no large amount of property for division among heirs, but there was inherited, by the descendants of this family, the good names of honest and pious parents, which was prized far more highly than the greatest wealth.

Judge Monroe was, at about this age—18—established in the Clerk's office of the Circuit and County Courts of Lincoln county, at Stanford, then occupied by the Hon. Thos. Montgomery, at that time an eminent lawyer, and afterwards a Judge of the Circuit Court, and subsequently a member of the Congress of the United States. The two were cousins germans on their maternal side. Here he studied and learned practically the business of clerk and register or probatory of judicial tribunals, and thence proceeded after the regular course of preparatory reading, to study law under the instruction of Judge Montgomery. He studied with success, and was admitted to the bar in his twenty-third year, and settling himself at Stanford, commenced the practice with flattering prospects. But after succeeding to an encouraging extent he united in marriage to a lady like himself, without fortune, and afterwards becoming impatient for the accumulation of the means necessary for the support of a growing family, he suffered himself to be carried off from his profession into an unfortunate episode of his life. He removed to Glasgow, and became a merchant, but in a few years was eminently unsuccessful. About the time of the suspension of his mercantile business, he accepted the appointment of Cashier of the Bank of Green River, and so became a banker. But this was one of the forty banks created by the Legislature in 1818, all of which finished their course within the same year of their creation. This business of the Judge was, therefore, soon terminated, and he thereupon returned to his profession, and soon afterwards settled himself at Columbia. He was again successful at the bar, and was, about the year 1823, appointed Commonwealth's Attorney in the Judicial District presided over by Hon. Christopher Tompkins, and afterwards, upon the resignation of Judge Tompkins, in 1825, was appointed his successor. This appointment was by Gov. Adair, then Governor of Kentucky, during the recess of the Senate, and was consequently pro tempore, and Governor Adair's term of office having expired before the next meeting of the General Assembly, the permanent appointment depended on the next Governor. The State was divided at that time into two most violent parties, of Relief and Anti-Relief, and Judge Monroe had taken decided stand against all the measures for relief advocated by Gov. Desha, and upon his being elected, it was consequently very much doubted whether the permanent appointment would be given to him. But, such was the confidence of all parties, the Governor included, in the ability and impartiality of Judge Monroe, that there was no hesitation in his nomination, and the Senate unanimously approved it. He held this office for about twelve years.

The District at this period was remarkable for the ability and high-spirited rivalry of the legal profession; yet Judge Monroe presided in it for all this term with an impartiality which met the approbation of the people, and of every lawyer of integrity and reputation in all the Courts.

Upon resigning this office, he resumed the practice of law. He was of course successful everywhere throughout his District. But a few years afterwards he was tendered, by the Supreme Court of Kentucky, the office of Reporter of its decisions, then lately made vacant by the death of the incumbent. This position was at that time decidedly the most desirable in the State

for any member of the bar, and was, in fact, on this occasion, solicited by several of the law eminent of the profession. But such was the selection of the judges, and Judge Monroe, considering that the Courts at the Capitol would afford him a more agreeable practice in his advancing age, than an extensive country District, did not hesitate, but accepted the appointment, and, in the spring of 1841, established his permanent residence in our city, and here spent the remainder of his life.

Of the manner in which he discharged his duties as Reporter we need not speak, since the entire legal profession concede that his reports are eminently faithful and accurate. They embrace all the decisions of the Appellate Court from 1841 to 1856 inclusive, and are eighteen volumes in number. They contain many of the ablest decisions ever rendered by Chief Justices Robertson, Marshall, Ewing and Simpson, and will always be deemed of incalculable value.

Judge Monroe was twice married. His first wife was related by blood to the Montgomeries and Logans, distinguished pioneers in the early history of Kentucky. His second wife was a sister of Hon. Geo. Alfred Caldwell, now of Louisville; all of his children, however, were from his first marriage. Five of them preceded him to thagras, among whom were the deceased wife of Hon. Zachariah Wheat, Wm. P. Monroe, and John M. Monroe, the two latter of whom are remembered by many of our citizens as young men of great promise, and of exemplary life.

Whatever may have been the public distinction won by the deceased there were other relations in which his virtues shone forth most conspicuously. As was said by Judge Story in reference to Hon. Justice Washington, of the Supreme Court of the United States, "it is as a man, that those who knew him best will most love to contemplate him. There was a daily beauty in his life which won every heart. He was benevolent, charitable, affectionate and liberal in the true sense of the terms. He was a Christian, full of religious sensibility and religious humility—Attached to the Presbyterian Church by education and choice, he was one of its most sincere but unostentatious members. He was as free from bigotry as any man; and at the same time, he admitted without reserve the same rights to others. He was, therefore, indulgent even to what he deemed errors of doctrine, and abhorred all persecution for conscience sake. But what made religion most attractive in him and gave it occasionally even a sublime expression, was its tranquil, cheerful, unobtrusive, meek and gentle character. There was a mingling of Christian graces in him which showed that the habit of his thoughts was fashioned for another and better world."

The influence of such a man upon his fellow men, and especially upon the rising generation, must have been most salutary. His loss to this community could not easily be supplied, and long will his memory be cherished with the warmest affection.

The war in Madison turns out to have been very much of a burlesque, but better so than there was inherited, by the descendants of this family, the good names of honest and pious parents, which was prized far more highly than the greatest wealth. Judge Monroe was, at about this age—18—established in the Clerk's office of the Circuit and County Courts of Lincoln county, at Stanford, then occupied by the Hon. Thos. Montgomery, at that time an eminent lawyer, and afterwards a Judge of the Circuit Court, and subsequently a member of the Congress of the United States. The two were cousins germans on their maternal side. Here he studied and learned practically the business of clerk and register or probatory of judicial tribunals, and thence proceeded after the regular course of preparatory reading, to study law under the instruction of Judge Montgomery. He studied with success, and was admitted to the bar in his twenty-third year, and settling himself at Stanford, commenced the practice with flattering prospects. But after succeeding to an encouraging extent he united in marriage to a lady like himself, without fortune, and afterwards becoming impatient for the accumulation of the means necessary for the support of a growing family, he suffered himself to be carried off from his profession into an unfortunate episode of his life. He removed to Glasgow, and became a merchant, but in a few years was eminently unsuccessful. About the time of the suspension of his mercantile business, he accepted the appointment of Cashier of the Bank of Green River, and so became a banker. But this was one of the forty banks created by the Legislature in 1818, all of which finished their course within the same year of their creation. This business of the Judge was, therefore, soon terminated, and he thereupon returned to his profession, and soon afterwards settled himself at Columbia. He was again successful at the bar, and was, about the year 1823, appointed Commonwealth's Attorney in the Judicial District presided over by Hon. Christopher Tompkins, and afterwards, upon the resignation of Judge Tompkins, in 1825, was appointed his successor. This appointment was by Gov. Adair, then Governor of Kentucky, during the recess of the Senate, and was consequently pro tempore, and Governor Adair's term of office having expired before the next meeting of the General Assembly, the permanent appointment depended on the next Governor. The State was divided at that time into two most violent parties, of Relief and Anti-Relief, and Judge Monroe had taken decided stand against all the measures for relief advocated by Gov. Desha, and upon his being elected, it was consequently very much doubted whether the permanent appointment would be given to him. But, such was the confidence of all parties, the Governor included, in the ability and impartiality of Judge Monroe, that there was no hesitation in his nomination, and the Senate unanimously approved it. He held this office for about twelve years.

The Louisville Courier, in a recent article on the removal of Judge Stump from the Criminal Court of Baltimore, said he had long been identified with the American or Opposition party. The Baltimore Clipper says Judge Stump was a Democratic Judge, nominated by a Democratic Convention, elected by the Democratic party, has never in any instance been "identified" with any other party than that of the Democracy, and was sustained by the Democracy until Democracy itself was compelled to oust him from office. The Clipper says to the Courier further, and hopes it will publish the fact for the benefit of its Democratic readers, that at the same election at which this Democratic Judge was elected there were also elected by the Democratic party of Baltimore a Clerk of the Court who has been proved a defaulter to a large amount, and a Register of Wills who is now in jail charged with frauds innumerable, and another Court Clerk who was only rescued by suicide from an exposure of his infamy. This is the character of the men elected to office by the Democracy in Baltimore when they had the power.

We call the attention of our readers to an advertisement of "STARR'S CHEMICALLY PREPARED GLUE," which may be found in another column of our paper. We have seen this preparation very highly spoken of in the columns of several of our exchanges, and, from the recommendations given, we have no doubt that it is a superior article for family use, being convenient, and always ready for use. It is said to be valuable for mending almost all articles used in a family which are made of either wood, leather, glass, crockery, &c., &c. If it would only mend "family jars" it would be invaluable.

A letter from Panama states that Hon. Beverly L. Clark, the United States Minister Resident at Guatemala and Honduras, is still sick, and will soon return to Kentucky, if well enough. His disease is diabetes, and his situation is precarious.

Circuit Court.—Harrison Brown recently convicted of passing counterfeit money, in Covington, was brought before the court Monday and sentenced to be imprisoned in the penitentiary for two years.

The Federal Herald says that the vote of Senator Cass against the repeal of the Law of 1833 "ought to be enough to exclude him from the confidence and trust of all parties in Southern Kentucky." It appears that many Democrats are not so much as to suit the editor of the Herald. Lieutenant Governor Porter was in favor of the law; can't Noble trust him? Thornton F. Marshall voted against it; is he unworthy the confidence of the Democracy? Senator Fisk is unbound in the same particular. John A. Prall was in favor of the original law which prohibited the importation of slaves even for one's own use; why does not Noble give him a touch? And James Guthrie—the Herald's favorite for the Presidency—voted for the original law and against its repeal, and announced his willingness to incorporate it into the Constitution if it would only produce quiet upon the question; he also declared that he desired to have the sentiment of Kentucky recorded against the public slave trade. Will the Herald be less willing to support him for the Presidency? Mr. Cissell did no more than James Guthrie did—he did not even go so far as that old wretch horse of Democracy. Why denounce one and endorse the other?

MOSELEY'S TUBULAR IRON BRIDGES.—In another column of our paper our readers will find the advertisement of these cheap and lasting bridges. We understand that these bridges can be furnished cheaper than wooden bridges, are stronger, and last much longer. Mr. Moseley is a very clever gentleman and a business man, and we would recommend to our friends who wish to contract, either as individuals or as county authorities, for bridges, to give him a call.

His corrugated iron roof is very highly spoken of by those who have used it, and we have no doubt it is a very superior article. All our friends in this vicinity who wish to contract for iron roofing are referred to Mr. E. H. STORREMAN, at his paper mill, near Frankfort, for information as to the value of that furnished by Mr. Moseley.

JOHN W. C. ANDERSON publishes a card in the Journal of yesterday denouncing the editors of the Courier in severe and pointed language.—The Courier had attributed improper motives to Mr. Anderson in casting his vote in favor of allowing Williamson further time to collect testimony in the contested election case between Sickles and himself. Mr. Anderson replies by stating facts contrary to the Courier's version of the matter, and giving the editor the lie direct.

A correspondent of the Journal of Commerce, writing from Callao, says: "The United States are a laughing stock to the Peruvians; they are sanguine that no squadron will come to demand the money due to American citizens.—Should such be the case, our Government at home leave us to the mercy of the Peruvians, and it is useless to have even a Minister here, if he cannot be protected in looking after the interest of his country."

The race at Mobile on Monday, mile heats, best 3 in 5, was won by Cheatham's Alondro, beating Campbell's Arthur Adams. Time—1:55, 1:51½, 1:51½.

The second race, two miles out, was won by Nicholas I, beating Eitrell's J. C. Brackinridge, and Campbell's Wagner colt. Time—3:45.

Hog cholera is raging in Montgomery county, Kentucky, and many of the farmers have lost all their hogs.

A mutiny among the coolies on board the ship Norway, from Macao for Havana, was mentioned in the telegraph, and that a lady passenger and her child died from fright. The following are more full particulars:

The Norway sailed from Macao on the 26th of November with about one thousand coolies on board, and when five days out, at about six o'clock in the evening, the captain being below at the time, a mutiny broke out among the coolies, who set fire to the ship in two places, and endeavored to force the hatches. Mr. Simpson, of Boston, one of the mates, had charge of the deck, and the watch, with the exception of the man at the wheel, was aloft taking in sail. Mr. Simpson rushed to the hatch and commenced the struggle. The crew from aloft and those below tried to seize the boat and leave the ship, when the Surgeon, an English gentleman, drew his pistol and threatened to shoot the first man who dared to make that attempt. The crew then retired and went to the assistance of the officers, and a fight ensued, which continued from six in the evening until daylight next morning.

Thirty of the coolies were killed and more than 90 more wounded before the mutiny was quelled. The captain then gave the coolies one hour to deliver up the arms in their possession; if they did not, he threatened to cut away the masts, set fire to the ship, take the boat and provisions, and leave them to their fate. The mutineers soon came to terms.

Mr. J. T. Ashurst, of this county, a few days since, sold a sucking jack colt, 10 months old, to Mr. Warlock of Bourbon, for \$1,000; Mr. John Meekins sold a two year old jack to Mr. Graves of Boone for \$1,200, and another to Messrs Smith and Campbell, of Bloomington, Ind., for \$1,200; Mr. Edward Burgess sold to Mr. John Meekins, his young jack Young America, 16 months old, for the large sum of \$2,000. Young America is thought by good judges to be the best jack in America, he being now 15 hands high with as much style as an Arabian horse.—Georgetown Journal.

Fire.—On Sunday night, the 25th instant, the dwelling house of C. M. Hutell, Esq., about two miles east of North Middletown, was consumed by fire. It occurred near 12 o'clock, and was evidently the work of an incendiary. There had been no fire in the house on that evening, and the flames were first discovered in a shed room attached to the building. A portion of the furniture was saved. Mr. Hutell's loss is probably not more than three or four hundred dollars. The building was old and of no great value.—Paris Flag.

We regret to learn that Major Hiram Kelsy died at his residence, New Liberty, Owen county, Ky., on Sunday last. He was a lawyer of high reputation, had represented his county in the Legislature, and was the Elector for President and Vice President, in 1856, from the Tenth District. He was beloved by all who knew him. He leaves a wife and four children.

Hyemal.—A New York letter in the Charles ton Courier says: Mr. A. D. Banks, formerly of the South Side Democrat at Petersburg, Va., but now of the Cincinnati Enquirer, is soon to lead to the altar the daughter of our well known citizen, Geo. Law.

FOR THE STAMP.—The Senate Printing Office, containing Committee have examined at great length Ex Governor Ford, the House Printer, in regard to the manner of doing his work, and whether any corrupt influences were employed to secure his election. He said: When elected Printer, I ordered the Superintendent of Public Printing to send the work to Larcombe & English, where the work was then being done. On the day following I joined said firm, and entered into a partnership temporarily for doing the printing, they hauling the material and labor, and I giving my official position and attention; they guaranteeing to me a certain amount of the gross profits—I believe twenty per cent.

A member of the committee then asked him what promises he had made. He said: To persons, outsiders generally, I have been a soldier, and if I should win a battle, I will take care of the wounded. I promised Deftrees something; the amount was undetermined, and Moran the same as Deftrees. I made an agreement with Faugbun, by which he was to be taken care of.

PAINTED DEATH.—On Saturday evening last, a little girl 12 years of age, the daughter of Mr. J. F. Jacoby, living near Moreland's Station, in this county, met with a most shocking death in the following manner: A fire was kindled in the yard for the purpose of boiling soap, and while the little girl was performing some duty about the fire, her clothes became ignited, and before aid could be rendered, was so horribly burned that she died the same night. Her father was engaged at the time in the garden, which was separated from the yard by a high paling fence, which he attempted to scale, and in jumping to the ground the skirts of his coat caught on the pailings in such a manner that he could not extricate himself to give any assistance, and was compelled to witness the terrible death of his child. We learn that the child ran to her father, who, while on the fence, did everything in his power to extinguish the burning clothes of the child, in doing which he was himself severely burned, as was also the mother of the girl.

SHOOTING AFFRAY, AND PROBABLE DEATH IN CARTRIDGE.—About 10 o'clock last night, (Tuesday) while James L. Stitt, Deputy Postmaster, in Carlisle, was sweeping out his office, he was called to the door by a young man named Rick, a medical student, who drew from his pocket a pistol which he fired at Mr. Stitt, the ball entering just beneath his nose, and glancing on the cheek bone came out back of the ear, dangerously, if not fatally injuring him.

The cause of this rash attempt on Mr. Stitt's life, we learn, was some fancied insult, which did not warrant any such procedure. The perpetrator was promptly arrested and lodged in jail.—The excitement in Carlisle was very great through the night, and this morning when the stage left, had abated but little. We refrain from saying more, as an investigation will be had to day.

Mr. Stitt is a young gentleman of excellent character, and incapable of giving offense to mere pastime.—Paris Flag 26th.

LARGE SALE OF NEGROES.—A sale of 35 negroes, 12 of whom were children, belonging to R. Peyton Harrison, of Cumberland county, Va., took place a few days since, bringing \$32,474.00. One hand brought \$1,025.

We are authorized to announce HARRY I. TOWN as a candidate for Sheriff of Franklin county at the August election, 1890.

MARRIED.—At the residence of Mr. John Shannon, on the 23d inst., by Rev. J. B. Sharp, Mr. ROBERT THOMAS, of Owen county, to Miss ELIZABETH M. SHANNON, of this city.

On the 27th inst., by Elder W. T. Moore, Mr. C. G. STIVERS, to Miss MARY, daughter of Alexander Connelly, both of this city.

STARR'S CHEMICALLY PREPARED GLUE FOR FAMILY USE. WILL MEND ARTICLES IN Woods, Leather, Crockery, Glass, Ivory, Bone, Abaster, Marble, Rubber, Gutta Percha, Cloth, Paper, Papier Maché, Shell, Master, Horn, Bone, &c.

And indeed there is scarcely an article in the whole range of domestic economy, whether it be for use or ornament, which, when broken, cannot, with the possible exception of its original value, be restored to the world for its superior. It is indispensable in every HOUSE, WORKSHOP, COUNTING-ROOM, And no person after a trial of

Starr's Chemically Prepared Glue will willingly dispense with it for four times its cost. It is always ready, and always reliable. It is not offensive to the smell, and is not affected by climate, and where known it has become a HOUSEHOLD NAME.

The attention of dealers and customers is invited to the following testimonials regarding its superior qualities: NEWARK, N. J., Nov. 23, 1889.

"After a faithful trial of Starr's Prepared Glue on all the articles of my household, I most cheerfully recommend it for all purposes generally required, and especially for family use."

"We, the undersigned, having tested STARR'S PREPARED GLUE, agree with the above recommendation."

WM. B. DOUGLASS, Cabinet Ware Manufacturer, Newark, N. J.

LYSANDER WRIGHT, Machine Dept., Newark, N. J.

HEDENBURG & LITTLE, Carriage Manufacturers, Newark, N. J.

WM. H. KIRK & CO., Carpenters and Builders, Newark, N. J.

LEVERICH & ENDERS, Carriage Makers, Newark, N. J.

Starr's Chemically Prepared Glue is sold by all Druggists, Furniture Dealers, Grocers, and Country Merchants generally.

Put up for dealers in cases from 1 to 12 dozen. A splendid Lithographic Show Card, printed in colors, given with each package.

All orders or letters of inquiry by mail addressed to the STARR GLUE COMPANY, 51 Liberty Street, N. Y. will receive prompt attention. STARR GLUE CO. (March 30, 1890—adwily.)

MOSELEY'S TUBULAR WROUGHT IRON ARCH BRIDGES AND CORRUGATED IRON ROOFS. (REGISTERED PATENT.)

At cheap as wood, and our manufacture is capable of supplying any demand. Corrugated Iron Sheets consist of all sizes, painted and ready for shipment, with full instructions for applying them. Leave orders at No. 66 West Third Street, Cincinnati. April 30, 1890—by.

Attention "Frankfort Rifles." THE "FRANKFORT RIFLES" are notified to meet at their Armory, this evening, (Friday) at 7½ o'clock. Every member should be present, as business of importance will be brought before the company. By order of the Captain.

WANTED. A GOOD COOK for the balance of the year. Apply at this office. (March 31, 1890.)

SPECIAL NOTICES.

Consumption Actually Cured.

DR. WHITE, who has spent years in investigating Lung Diseases, has discovered the cause or consumption to be TUBERCULIN in the Blood; and it is found that by eliminating this virus, ninety-nine out of one hundred cases of Consumption recover, and the parties enjoy perfect health. Citizens explaining this New System sent free of charge upon application, by letter or otherwise, to A. J. JUDSON WHITE, 26, D. Cor. 10th and 11th Streets, N. Y.

The Doctor has no Patent Medicine to sell. Feb. 7, 1890—wtdm.

The Confessions of an Unfortunate Man.

Who brought upon himself the most obdurate nervous affection, premature decay, &c., by indiscretion and self abuse—published for the benefit of the afflicted and those contemplating marriage, pointing out the way they may be restored to perfect health. The author, having himself been cured, desires to place in the hands of the unfortunate the means by which they can find relief, and also to put a stop to the various impositions practiced upon the unwary. He will send his experience free of charge. Address, W. M. J. HORNBY, Feb. 7, 1890—wtdm. Box 493, P. O., New York.

A FAMILY NECESSITY.

The following statement speaks for itself.—(Extract) "It is lifting the kettle from the fire it caught and scalded my hands and person very severely—one hand almost to a crisp. The torture was unbearable. It was an awful sight. The Mustang Liniment appeared to me almost immediately. It soothed rapidly and left no mark of account. CHARLES FORBES, 60 Broad Street, Philadelphia." It is truly a wonderful article. It will cure any case of Swellings, Bruises, Stiff Joints, Eruptions or Rheumatism. For Horses, it should never be dispensed with. One Dollar's worth of Mustang has frequently saved a valuable horse. It cures Galls, Sprains, Rhegones, Spavins and Founders. Beware of Imitations. Sold in all parts of the habitable Globe. BARNES & PARK, Proprietors, New York.

March 14, 1890.

"THE UNION."

The Address of Rev. JAMES CRAIK, D. D., delivered in the Hall of the House of Representatives, December 19, 1889, is for sale at the bookstore of SAM. C. BULL, by the single copy or by the hundred copies. February 23, 1890—f.

DISSOLUTION.

The firm of PAGE, GAINES & PAGE was, on the 23d of January, 1890, dissolved by mutual consent—T. S. & J. R. Page retaining the Dry Goods and Queensware Establishments, with the notes and accounts of said firm—their business will be settled up by said T. S. & J. R. Page—W. A. Gaines retaining the Hardware and Groceries. Both Establishments will be carried on at the same stands, where we will be pleased to serve our old patrons, and as many new ones as can make it to their interest to patronize us. F. S. & J. R. PAGE, W. A. GAINES. [Yeoman copy.] February 4, 1890.

A CARD TO THE SUFFERING.

The Rev. WILLIAM CONROVE, while laboring as a missionary in Japan, was cured of Consumption, when all other means had failed, by a recipe obtained from a learned physician residing in the great city of Jeddo. This recipe has cured great numbers who were suffering from Consumption, Rheumatis, Sore Throat, Coughs, and Colds, and the debility and nervous depression caused by those disorders.

Destroy of benefiting others, I will send this recipe, which I have brought home with me, to all who need it, free of charge. Address, REV. WM. CONROVE, 723 Baltic Street, Brooklyn, N. Y. Jan. 16, 1890—Jm.

MILLINERY AND FANCY GOODS!!

MRS. E. T. LYONS, 321st Clair Street, Frankfort, Ky. Have just received and opened a full and complete assortment of Fashionable Fall and Winter Millinery Goods. The new stock embraces Cloaks, Poets, Bonnets, Ribbons, Head-dresses, Caps, &c., &c., all of the latest styles and fashions. Don't send to Louisville or Lexington when you can get what you want equally as elegant and far cheaper at home. Call and see. Mrs. E. T. LYONS. Also Agents for WHARPER & WILSON'S Improved Sewing Machine. (Oct. 14, 1889.)

REMOVAL.

H. RUNYAN Has removed his store two doors above his old stand. He is selling his Goods, &c., as informed, at the lowest possible price for cash down. Goods on credit, in payment what we said before, Runyan's full right. Frankfort, Nov. 14, 1889.

H. WHITTINGHAM.

NEWSPAPER & PERIODICAL AGENT, FRANKFORT, KENTUCKY. Continues to furnish American and Foreign Weeklies, Monthlies, and Quarterlies, on the best terms. Address Sheets received from twenty-four Publishers. Rack numbers supplied to complete sets. November 24, 1889.

Metcalf's "Kentucky Reports."

VOLUME I. PRICE \$2. We will send the 1st Volume of Metcalf's Reports by mail, postage paid, to any one who will wish it, on receipt of \$2. A. G. HODGES & CO., Asg. 24, 1889. Com'l Office, Frankfort, Ky.

THE 1ST VOLUME

OF THE KENTUCKY FARMER, Sewed and bound with Muslin Backs and 81st Paper Covers, can be had at this office at \$1 per copy. Sep. 2, 1889. A. G. HODGES & CO.

New Style of Hats.

Philadelphia Fall style of Gentlemen's SILK HATS, just opened. Get the best. Sep. 2, 1889. S. C. BULL'S Book and Shoe Store.

JOHN W. PRUETT is authorized to collect all claims due in the County of Franklin and Ch.

of Frankfort, have also placed in Mr. Pruett's hands many notes due by persons living in and out of the State of Kentucky. A. G. HODGES.

TO FISHERMEN!

A NEW stock of Fishing Tackle, consisting of Fine Grass and Silk Lines, and an extra lot of HOOKS, ALSO PLAIN BRASS REELS, Call and see them at (March 23, 1890.) S. C. BULL'S.

LANDRETH'S WARRANTED GARDEN SEEDS. A GARDEN SEEDS just received at Feb. 23, 1890. S. C. BULL'S.

NOTICE.

The stockholders in the Franklin portion of the Frankfort and Georgetown Turnpike, are notified that an election for Directors for the ensuing year will be held at the office of the Circuit Court Clerk, in the city of Frankfort, on Saturday, 7th April, 1890. W. L. CRUTCHER, Pres't.

FOR SALE OR RENT.

THE House and Lot in South Frankfort, belonging to the estate of John Campbell, is offered for sale or rent. If for terms, call on W. V. A. BELL. March 23, 1890—f. Yeoman copy.

CAPITAL HOTEL, Frankfort, Kentucky, FOR LEASE.

SEALED proposals will be received by the undersigned, until Monday, the 10th of April, for the lease of the CAPITAL HOTEL and the furniture thereto belonging, for two years from the 1st of May next, or for five years, as may be agreed upon. The lessee will be required to give bond with satisfactory personal security for the payment of the rent in quarterly payments and to take good care of the building and furniture. The company will reserve the right of discontinuing between the bidders. This is one of the best arranged and well built establishments of the kind in the Western country, and furnished with all of the necessary fixtures and furniture, the whole cost of which was upwards of one hundred thousand dollars. The principal object was to have a first class hotel kept at the seat of Government for the accommodation of strangers and others who come hither on business or pleasure. An appropriate building has been erected and furnished in a style of elegance rarely surpassed, and our object is to have a landlord who in all respects qualified to take charge of it. A. G. CAMMACK, President.

Frankfort, Ky., March 9, 1890—f.

LUCIFER, BY SNOWSTORM.

Will stand the present season at COTTAGE HILL, on the Frankfort and Georgetown Turnpike, 3 miles from the Forks of Elkhorn, in the county of Frankfort, at \$15 to \$20 a seat, and passage furnished gratis to masses coming from a distance.

Description and Pedigree.

Lucifer is a black colt, 5 years old, with heavy white mane and tail; 15½ hands high, and is a horse eminently calculated to produce such colts to every purpose for which the horse is required. Being himself beautiful in appearance, and proper for harness, mild and gentle in disposition, with action both for harness and saddle rarely equalled, very few, if any, horses in Kentucky of his age can give greater trotting speed in harness, and it has been with great difficulty that he has been restrained from going all the saddle galls, being bred by old snowstorm, who was at one time as naturally as another, and all with unparalleled speed and style, and a produced more fine saddle and harness horses in the two seasons he was in the hands of any other horse known. He was of the pure Norman French blood from Canada, and his sires are commanding wherever found extraordinary prices. Lucifer's dam was a large brown mare; blood unknown, was a natural pacer and could, without training, pace for miles in 3 minutes. He will attract the attention of breeders to this young horse, at his stand, where I have a good track, and where persons willing to breed can have an opportunity of witnessing his speed. March 14, 1890. THOMAS STRELL.

CLARKE'S ART GALLERY, Main St., adjoining Telegraph Office, FRANKFORT, KENTUCKY.

THIS Gallery is fitted up in the most improved style for the production of Art Pictures, and is a mammoth size and sky-light combined, the effect produced is surpassed by any Gallery in the State. Our customers are large and extensive, and we are enabled to give our patrons the most perfect satisfaction to all who may favor us with their business.

A SOLAR CAMERA

Of the largest size having recently been added to this Establishment, and are now prepared to furnish to our customers and artists generally.

LIFE-SIZED PHOTOGRAPHS.

Fever and Ague,
from or...
the blood...
the liver...
the system...
the blood...
the liver...
the system...
the blood...
the liver...
the system...

Ayer's Ague Cure,
which neutralizes this malarious poison in the blood...
the liver...
the system...
the blood...
the liver...
the system...

Ayer's Cherry Pectoral
has won for itself such a reputation for the cure of every variety of Throat and Lung Complaint, that it is entirely unnecessary for us to recount the evidence of its virtues...

Ayer's Cathartic Pills,
FOR ALL THE PURPOSES OF A PURGATIVE MEDICINE.
FOR CONSTIPATION;
FOR THE CURE OF DYSPEPSIA;
FOR JAUNDICE;
FOR THE CURE OF INDIGESTION;
FOR HEADACHE;
FOR THE CURE OF DYSERY;
FOR THE CURE OF SCORFULA;
FOR ALL SCORFULOUS COMPLAINTS;
FOR THE CURE OF RHEUMATISM;
FOR DISEASES OF THE SKIN;
FOR THE CURE OF LIVER COMPLAINT;
FOR DYSERY;
FOR THE CURE OF TETTER, TUMORS AND SALT RHEUM;
FOR WOMEN;
FOR THE CURE OF GOITRE;
FOR A DINNER PILL;
FOR THE CURE OF NEURALGIA;
FOR PUFFING OF THE BLOOD.

DAVE & PETTIT,
No. 44 Fifth Street, between Jefferson & Green, LOUISVILLE, KENTUCKY.
Real Estate Brokers and Negotiators,
AGENTS for the Sale and Purchase of Real Estate,
A. C. CROOK, Stocks, Bonds, Land Warrants, etc., Houses and Farms for sale or lease on commission. Also, all kinds of real estate secured on short notice.
Particular attention given to procuring situations for men out of employ.

JOHN T. ROBERTS, Agent,
St. Clair Street, Frankfort, Ky.
DEALER IN
Fine Groceries, Confectionaries, Fruits, Toys, Bottled Liquors, Tobacco, Segars, Fancy Articles, &c.,
FRESH BREAD EVERY MORNING.
FRESH BALTIMORE OYSTERS
Received daily during the season.

YOUNG GENTLEMEN
WANTING SOMETHING EXTRA 1 THE WAY OF
Handsome Cloth Cap or Dress Hat, will do well to call and see those at
SAM. C. BULLS,
Hot and Bookstore, St. Clair Street, Frankfort, Ky.
GIVE ME A CALL!

APPLES.
HAVE for sale, by the barrel, a quantity of Apples of a superior quality, carefully picked from the trees by hand. Apply at my residence.
Dec. 14, 1894-15.
ORLANDO BROWN.

KEENON & CRUTCHER,
At their Old Stand, on Main St.,
FRANKFORT, KENTUCKY.
DEALERS IN EVERY DESCRIPTION OF
Books,
Shoes,
Hats,
Caps, and
Straw Goods.
-ALSO-
MISCELLANEOUS AND SCHOOL BOOKS,
Pen and Pocket Knives,
Razors and Scissors,
Port Monnaies,
Hair and Cloth Brushes,
Perfumery, &c., &c.

American Standard School Series
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Child's First Book, an illustrated Primer, by Goodrich
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Goodrich's New Third Reader, edited by Noble Butler
Goodrich's New Fourth Reader, edited by Noble Butler
Goodrich's New Fifth Reader, edited by Noble Butler
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STANDARD SCHOOL BOOKS
The Publishers with great confidence recommend the above list of Books to the attention of Teachers, School Commissioners, and Parents, as being of the highest character in point of literary merit, and calculated to improve the taste of the pupils. This series has been prepared with great care, every sentence closely and carefully revised, and it has been recommended by the best educators and scholars in the country to be THE BEST SERIES now published. The Publishers feel justified in saying that these books will become the standard of the country. They have already been adopted by the Board of Education of the State of Kentucky, and are now being used in the State of Alabama, and by the best teachers in Missouri, Louisiana, Tennessee, and other Southern States.

NEW ALBANY AND SALEM RAILROAD.
Short Line Route to the North & West.
Through Chicago in 15 hours.
Through St. Louis in 14 hours.
Through Cairo in 20 hours.

THE KENTUCKY MILITARY INSTITUTE.
The INSTITUTE is directed by a Board of Visitors, appointed by the State, and is under the supervision of the State Engineer. It is a distinguished graduate of West Point, and a practical Engineer, and is a member of the American Society of Civil Engineers.

EXCELSIOR PARAFFINE OILS,
For Burning and Lubricating.
FREE FROM OFFENSIVE ODOR.
At No. 97 Walnut Street, Cincinnati, O.

John Bull's Compound Pectoral
OF
WILD CHERRY.
THE effect of public approbation has been so unanimous, that it is not necessary to say more. It is a remedy for the cure of Croup, Whooping Cough, Sore Throat, and all the affections of the Throat and Lungs. It is a remedy for the cure of the Croup of Infants, and for the Croup of the Elderly. It is a remedy for the cure of the Croup of the Young, and for the Croup of the Old. It is a remedy for the cure of the Croup of the Sick, and for the Croup of the Well.

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BROADWAY HOTEL,
LEXINGTON, KENTUCKY.
The house is in good repair, elegantly furnished, and is well adapted for the reception of guests. It is a first-class hotel, and is a member of the American Hotel Association.

APPLES.
HAVE for sale, by the barrel, a quantity of Apples of a superior quality, carefully picked from the trees by hand. Apply at my residence.
Dec. 14, 1894-15.
ORLANDO BROWN.

HORACE WATERS, AGENT,
333 Broadway, New York.
Publisher of Music and Music Books, Dealer in PIANOS, Melodions, Alexanders Organs, Organ Accordeons, Martini's celebrated and other Guitars, Violins, Teardrop Violins, Accordions, Flutes, Clarinets, Trombones, Triangles, Tuba, Horns, and other instruments, and all kinds of Music Merchandise, at the lowest prices.

HEALTH RESTORED!
DR. MOTT'S
Chalybeate Pills.
An aperient and stomachic preparation of LEON purified of Oxygen and Carbon by combustion in Hydrogen, of high medicinal authority and extraordinary efficacy in each of the following complaints:
OBILITY, NEURALGIC AFFECTIONS, FIBROSIS, DYSPEPSIA, DIARRHEA, CONSTIPATION, SCORFULA, BALTICUM, SCURVY, NAUSEA, LIVER COMPLAINTS, RHEUMATISM, MERCURIAL CONSEQUENCES, INTERMITTENT FEVERS, NEURALGIC AFFECTIONS, HEADACHES, FEMALE WEAKNESSES, MENSTRUATION, WHITES, OPHTHALMIA, ETC.

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AMOUNT OF ASSETS, \$31,213.31
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